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93-61
**TEXAS
TURNPIKE
AUTHORITY**



3015 Raleigh Street • P.O. Box 190369
Dallas, Texas 75219
Phone 214/522-6200
Fax 214/528-4826

July 6, 1993

Ms. Donna R. Searcy
Secretary
Federal Communications Commission
1919 M. Street, N.W. Room 222
Washington, D.C. 20554

Dear Ms. Searcy:

The State of Texas, as well as a number of other states, through their state turnpike authorities, either have instituted or plan to institute within the next several years, a new system of electronic toll collection ("ETC") procedures which ensure a far more rapid and efficient means of collecting tolls. These ETC efficiencies also reduce the time lost and the costs incurred by patrons using turnpikes, significantly reduce internal combustion engine generated air pollution in the urban areas in which the U.S. turnpikes primarily serve, and conserve fossil fuels, each of which advance our national goals. In order to continue the advances of ETC systems, it is imperative that the turnpike industry in the United States have adequate spectrum access in the 902-928 MHz frequency ranges.

The Texas Turnpike Authority as an active member of the International Bridge, Tunnel, and Turnpike Association ("IBTTA") opposes the Notice of Proposed Rule Making ("NPRM"), PR docket 93-61. If this NPRM were permanently adopted and therein change the interim regulations governing the industrial, scientific, and medical ("ISM") uses of the 902-928 MHz spectrum currently available for use by the turnpike authorities in the U.S. for ETC, electronic toll collection and traffic management ("ETTM"), automatic vehicle identification ("AVI") and intelligent vehicle highway systems ("IVHS"), there would not be adequate spectrum remaining for the departments of highways and turnpike agencies of the United States to operate ETC, ETTM, IVHS, and AVI systems either already in use or planned for future national highway transportation enhancement. If this NPRM were adopted as currently written, it would provide an exclusive use status to one particular type of IVHS application, namely a vehicle location and tracking system. Such vehicle tracking systems were designed to co-exist in the 902-928 MHz spectrum range with ETC, ETTM, AVI, and IVHS applications. To remove ETC, ETTM, AVI and IVHS from the 902-928 MHz spectrum would retard severely the advances made in recent years increasing the traffic handling capacity and efficiency of our nations turnpikes and tax financed highways. A reserved 902-928

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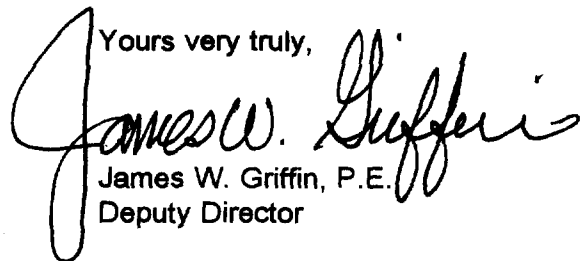
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A detailed technical analysis of the amendment of Section 90.239 of the FCC's rules to adopt Permanent Regulations for Automatic Monitoring Systems, RM-8013, PR Docket No. 93-61, FCC No. 93-141, as prepared by the IBTTA, is attached as an amendment to this letter of the Texas Turnpike Authority expressing its position in this matter. This Agency urges the FCC to maintain and make permanent the current interim regulations governing the use of ISM in the 902-928 MHz spectrum, to deny adoption of the proposed NPRM as set forth in PR Docket 93-61, and to issue regulations permanently assigning 902-928 MHz frequencies to the state agencies currently holding such interim frequency licenses for ETC, ETTM, AVI, and IVHS applications.

Yours very truly,

A handwritten signature in cursive script, reading "James W. Griffin".

James W. Griffin, P.E.
Deputy Director

cc: Ralph Haller, Private Radio Bureau

nlg